

INDIANA RULES OF APPELLATE PROCEDURE

Rule 14. Interlocutory Appeals

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C. Interlocutory Appeals From Orders Granting Or Denying Class Action Certification. The Court of Appeals, in its discretion, may accept jurisdiction over an appeal from an interlocutory order granting or denying class action certification under Ind. Trial Rule 23.

(1) Time for Filing Motion. A motion requesting that the Court of Appeals accept jurisdiction over an interlocutory appeal from an order granting or denying class action certification shall be filed within thirty (30) days of the entry of the order.

(2) Content of Motion. The motion requesting that the Court of Appeals accept jurisdiction shall state:

(a) The date of the order granting or denying class action certification.

(b) The facts necessary for consideration of the motion.

(c) The reasons the Court of Appeals should accept the interlocutory appeal.

(3) Attachments to Motion. A copy of the trial court's order granting or denying class action certification shall be attached to the motion requesting that the Court of Appeals accept jurisdiction over the interlocutory appeal. Other materials helpful to the Court of Appeals' decision whether to accept jurisdiction may also be attached to the motion, including affidavits addressing likely effects of the trial court's order granting or denying class action certification if the order is erroneous and the determination of the error is withheld until after final judgment. However, if the trial court's order and the other materials together exceed twenty (20) pages in length, the other materials shall instead be placed in a separately bound addendum to the motion. Such an addendum shall not exceed fifty (50) pages in length.

(4) Response to Motion. Any response to the motion requesting the Court of Appeals to accept jurisdiction shall be filed within fifteen (15) days after service of the motion. A response may be accompanied by an addendum of the type and with the length limitation specified in (C)(3) above.

(5) Filing of Notice of Appeal. If the Court of Appeals accepts jurisdiction, the appellant shall file a Notice of Appeal with the trial court clerk within fifteen (15) days of the Court of Appeals' order accepting jurisdiction over the interlocutory appeal. The appellant shall also comply with Rule 9(E).

- CD.** Statutory Interlocutory Appeals. . . .
- DE.** Clerk’s Record and Transcript. . . .
- EF.** Briefing. . . .
- FG.** Shortening or Extending Time. . . .
- GH.** Stay of Trial Court Proceedings. . . .

Rule 15. Appellant’s Case Summary

B. Date Due. . . . or, in the case of a Discretionary Interlocutory Appeal under Rule 14(B)(2) or a Class Action Certification Interlocutory Appeal under Rule 14(C), the Appellant’s Case Summary

Rule 57. Petitions To Transfer And Briefs

B. Decisions From Which Transfer May be Sought. . . . Any other order by the Court of Appeals, including an order denying a motion for interlocutory appeal under Rule 14(B) or 14(C) and an order declining